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October 14, 2020

VIA CM/ECF

Honorable Lorna G. Schofield
United States District Court
Southern District of New York
New York, New York 10007

Re: Kassman v. KPMG LLP, Civ. No. 11-cv-3743 (LGS)

Dear Judge Schofield:

As noted in the September 30, 2020 joint status letter, the Parties have agreed to pursue mediation in an attempt to resolve all pending claims in this matter. Dkt. 941. The Parties have selected a mediator and have scheduled a mediation session for December 9, 2020, understanding the mediation process may continue after that date.

As directed by the Court (Dkt. 942), the Parties submit the attached Proposed Order staying this matter until after mediation has concluded. The Parties believe a stay will allow the Parties to discuss resolution more effectively and will save judicial resources and potentially unnecessary litigation costs.

The Proposed Order notes that there are certain Plaintiffs who have not responded to Plaintiffs' Counsel's request for authority to represent them in the settlement negotiations. KPMG reserves all rights with respect to any Plaintiff who fails to respond to Plaintiffs' Counsel's request for authority and who fails to otherwise participate in the mediation, including the right to move to dismiss such Plaintiff for failure to prosecute her claim.

Finally, the Proposed Order dismisses certain Plaintiffs who have stipulated to the dismissal of their claims. Exhibit A to the Proposed Order identifies these Plaintiffs by name and employee identification number.¹

Respectfully Submitted,

Kate Muetting, Counsel for Plaintiffs
Colleen M. Kenney, Counsel for KPMG

CC: All Counsel of Record, via ECF

¹ Exhibit A contains confidential information and is being filed separately by Defendant KPMG in accordance with the applicable protective order and Rule I.D.3 of this Court's Individual Rules and Procedures for Civil Cases on sealing and redactions.